

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>03-8-06</u>		2 Serial/Patent # <u>09/929865</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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TYPED/PRINTED NAME: <u>Karen Creasy</u>		TITLE: <u>Ref. Exm.</u>		
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APPROVED: <u>Dany Khlok</u>		DATE: <u>3/9/06</u>		

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THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 1634

*DAS*  
*GRN*

In re

Patent Application of

Eric Henderson, et. al.

Application No. 09/929,865

Confirmation No. 8708

Filed: August 14, 2001

Examiner: Betty J. Forman

"NANOSCALE MOLECULAR ARRAYER"

**PETITION UNDER 37 C.F.R. 1.313 FOR WITHDRAWAL  
OF APPLICATION FROM ISSUE**

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicant respectfully requests withdrawal of the above-identified patent application from issue. The issue fee for the present application was paid on November 29, 2005. The patent is set to issue on March 7, 2006 as U.S. Patent No. 7,008,769.

On January 26, 2006, we received a Supplementary Search Report in a related European patent application, namely European Patent Application No. 01993149.2. Applicants wish to have the nine references cited in the European Supplementary Search Report evaluated and included as part of the record for the present application.

The Applicant is petitioning withdrawal of the present patent application from issuance to permit consideration of an information disclosure statement under 37 C.F.R. 1.97 in a request for

03/06/2006 HALI11 00000011 09929865  
01 FC:1464 130.00 DP

Adjustment date: 03/09/2006 CKHLOK  
03/06/2006 HALI11 00000011 09929865  
01 FC:1464 -130.00 DP

Rep'n. Ref: 03/09/2006 CKHLOK 0009005300  
DAH: 500842 Name/Number: 09929865  
FC: 9204 \$130.00 CR

continued examination (RCE) under 37 C.F.R. 1.114, both of which are being submitted herewith.

Also enclosed is a check for \$130 in payment of the petition fee under 37 C.F.R. §1.17(h) and a check for \$395 in payment of the RCE fee under 37 C.F.R. §1.17(e).

Please charge or credit deposit account number 13-3080 for any shortage or overpayment of fees associated with this petition.

Respectfully submitted,



Nicole J. Einerson  
Reg. No. 57,973

Docket No.: 016348-9005-00  
Michael Best & Friedrich LLP  
One South Pinckney Street  
P. O. Box 1806  
Madison, WI 53701-1806  
(262) 956-6507



**REQUEST FOR CONTINUED  
EXAMINATION (RCE) TRANSMITTAL**

*Submit an original, and a duplicate for fee processing.*

*Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant  
application filed on or after June 8, 1995.*

*See The American Inventors Protection Act of 1999 (AIPA)*

Application No.	09/929,865
Filing Date	August 14, 2001
First Named Inventor	Eric Henderson et al.
Group Art Unit	1634
Examiner Name	Betty J. Forman
Attorney Docket Number	016348-9005

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 CFR 1.114, of the above-identified application.

Submissions Included:

IDS

Check for \$395 for filing fee

Applicant claims small entity status

Charge or credit Deposit Account No. 50-0842 with any shortage or overpayment of the fees associated with this communication. A duplicate copy of this sheet is enclosed.

☒ Customer Number

23510

Respectfully submitted,

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11 FC:2801 395.00 DP

Adjustment date: 03/09/2006 CKHLOK

03/06/2006 HAL111 00000012 09929865

01 FC:2801 -395.00 DP

Date: March 2, 2006  
cc: Docketing  
Wkg Atty. CBA  
Resp Atty. JAF

Repln. Ref: 03/09/2006 CKHLOK 0009013100

DAH:500842 Name/Number:09929865

FC: 9204 \$395.00 CR